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DOCKET NO.: S1383.70011US00

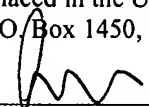
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Blumberg et al.  
Serial No.: 10/622,108  
Confirmation No.: 5945  
Filed: July 17, 2003  
For: CENTRAL AIRWAY ADMINISTRATION FOR SYSTEMIC  
DELIVERY OF THERAPEUTICS

Examiner: Not yet assigned  
Art Unit: 1724

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6th day of October, 2004.

  
Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

Transmitted herewith are the following documents:


- ☒ Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§1.56, 1.97 and 1.98
- ☒ Copy of International Preliminary Examination Report
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

No check is enclosed. If a fee is required, please charge to Deposit Account 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Blumberg et al., Applicant*

By:

  
Alan W. Steele, M.D., Ph.D., Reg. No. 45,128  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2206  
Telephone: (617) 646-8000

Docket No.: S1383.70011US00  
Date: October 6, 2004  
x10/20/04x



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P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. § 1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

**PART II: Compliance with 37 C.F.R. § 1.704(d)**

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart application and this communication was not received by the office of the undersigned more than 30 days prior to filing of this Information Disclosure Statement.

PART III: Information Cited

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed International Preliminary Examination Report from a related International or Foreign National Application.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. § 102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Ser. No. 10/622,108  
Conf. No. 5945

- 3 -

Art Unit 1724

Respectfully submitted,  
*Blumberg et al., Applicant*

By:



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